

From: John Lawhorn <jlawhorn@fmsllp.com>

Sent: Thursday, November 5, 2020 3:22 PM

To: jimmy@breedinglaw.com; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>

Cc: adam@breedinglaw.com; matthew@breedinglaw.com

Subject: RE: Knox/Post Trailer v. Titan/Henegar, et.al. - Proposed PO Stipulation and Corresponding Exhibits

Jimmy:

I have no problem with one of us sending Judge McDonough's chambers an email stating the following:

Dear Judge McDonough:

Pursuant to Judicial Preference 2(B), the parties request a telephone status conference with the Court to review the current scheduling order and modify same to the extent necessary. In addition, the parties request the Court's assistance in resolving disagreement concerning terms of a Protective Order to be entered in this action. In advance of this conference the parties will gladly submit their competing proposed versions, if requested by the Court.

That takes care of both the status conference and Protective Order. I really do not believe Judge McDonough necessarily needs a motion to amend the Scheduling Order if we are going to be discussing case status in a telephone conference. The proposed joint motion for scheduling conference you circulated continues to propose a 90 day extension which is something to which I've already objected. If you feel a joint motion is necessary, I am fine with your proposed motion and will consent to it once paragraphs 6 and 7 are removed.

John M. Lawhorn *Attorney*



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37901

phone: 865.546.9321 | fax: 865.637.5249 | email: jlawhorn@fmsllp.com

[East Tennessee Employment Law Adviser Blog](#)



Notice: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that our address record can be corrected.

For additional information about Frantz, McConnell & Seymour, LLP, including a list of attorneys, please visit our website at www.fmsllp.com

From: jimmy@breedinglaw.com <jimmy@breedinglaw.com>

Sent: Friday, October 23, 2020 1:29 PM

To: John Lawhorn <jlawhorn@fmsllp.com>; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>

Cc: adam@breedinglaw.com; matthew@breedinglaw.com

Subject: RE: Knox/Post Trailer v. Titan/Henegar, et.al. - Proposed PO Stipulation and Corresponding Exhibits

Counsel,

To be clear, our suggested course of action regarding the protective order is tailored to prevent unnecessary briefing. That is why we suggested that the parties submit the joint stipulation to the Court which includes clean versions of both proposed protective orders, and a comparison showing the differences in the two, and then requires the parties to submit simultaneous briefing with no opportunity for opposition or replies. This is the most efficient way of presenting this issue to the Court.

That being said, we are happy to participate in a joint call to the Court on this issue. However, to the extent you wish to present an alternative course of action to the Court, please let us know in advance of the call so we may be prepared.

Further, we suggest complying with Judge McDonough's Judicial Preferences, which direct the parties to email his chambers explaining the need for the requested call and the best number to reach the parties.

To that end, below is a draft email to the Court:

Dear Judge McDonough:

Pursuant to Judicial Preference 2(B), the parties are writing to request a telephone conference regarding a proposed Protective Order. The proposed Protective Order allows for the parties to reasonably limit the use and disclosure of confidential information. While the parties agree on many provisions, they disagree on the protections to be afforded "Confidential Information" and the inclusion of a "Highly Confidential – Attorneys Eyes Only" designation.

Plaintiffs have suggested that the parties submit limited briefings to resolve this issue. Specifically, Plaintiffs proposed that the parties submit a proposed stipulated briefing schedule to the Court, attaching Plaintiffs' proposed protective order, Defendants' proposed protective order, and a redline comparison of the versions. The briefing schedule would require each party to contemporaneously submit a principal brief

limited to the areas of disagreement. The parties would be precluded from filing any further briefing on these issues. Plaintiffs believe this approach is the most efficient method to address the parties' disagreements. To that end, Plaintiffs have prepared a draft stipulation, clean versions of all parties' proposed protective orders, and the comparison.

Defendants [INSERT PROPOSED RESOLUTION].

In light of the parties disagreement, the parties write to request a telephone conference to address how the parties submit their disagreements about the proposed Protective Order to the Court. Plaintiffs' counsel may be reached via email at jimmy@breedinglaw.com and matthew@breedinglaw.com or phone at (865) 670-8535. Defendants' counsel may be reached via email at _____ or phone at _____.

Regards,

Jimmy G. Carter, Jr.
Partner

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
jimmy@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

Schedule mediation online by clicking this link: <https://breedinghenrybaysanpc.youcanbook.me/>



From: John Lawhorn <jlawhorn@fmsllp.com>
Sent: Friday, October 23, 2020 9:38 AM
To: jimmy@breedinglaw.com; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Cc: adam@breedinglaw.com; matthew@breedinglaw.com

Subject: RE: Knox/Post Trailer v. Titan/Henegar, et.al. - Proposed PO Stipulation and Corresponding Exhibits

Let me suggest what I think might be a quicker and cheaper alternative to resolving the dispute over the protective order. Judge McDonough does not need party briefs, responses and replies to assist him regarding entry of a protective order. I know my clients – and I suspect several of yours - have little interest in paying us fees associated with such an unnecessary briefing exercise. This is the kind of thing Judge McDonough would be more than happy to discuss and resolve at the scheduling conference. We can file the joint motion requesting the scheduling order today or first thing next week. One or more of us can then reach out to Judge McDonough's law clerk via a telephone call (which Judge McDonough encourages) and ask for guidance on how the Judge would like us to submit our competing protective orders in advance of the conference. If the Judge wants further briefing at the end of the conference, he will ask for it.

If everyone is agreeable with that, we can file the motion for scheduling conference and then follow that up with a quick call to the law clerk.

John M. Lawhorn Attorney



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37901

phone: 865.546.9321 | fax: 865.637.5249 | email: jlawhorn@fmsllp.com

[East Tennessee Employment Law Adviser Blog](#)



Notice: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that our address record can be corrected.

For additional information about Frantz, McConnell & Seymour, LLP, including a list of attorneys, please visit our website at www.fmsllp.com

From: jimmy@breedinglaw.com <jimmy@breedinglaw.com>

Sent: Wednesday, October 21, 2020 1:50 PM

To: John Lawhorn <jlawhorn@fmsllp.com>; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>

Cc: adam@breedinglaw.com; matthew@breedinglaw.com

Subject: Knox/Post Trailer v. Titan/Henegar, et.al. - Proposed PO Stipulation and Corresponding Exhibits

All –

Thank you for taking the time to review the proposed protective order. We have reviewed your suggested changes and accepted many of your edits. As was expected, we still have disagreement about the inclusion of the AEO designation and access to confidential materials.

As discussed on the call, we think the best approach is to go to the Court together to ask it to resolve these issues. To that end attached is a: 1) a draft Stipulation, 2) Exhibit A which is our proposed PO, 3) Exhibit B which is your proposed PO, and 3) Exhibit C which is a comparison of our proposed POs.

Please review the attached documents for accuracy and to ensure that they captured your edits.

Assuming everything is acceptable, please let us know if we have permission to sign everyone's name.

Again, thank you for working through this.

Jimmy G. Carter, Jr.

Partner

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
jimmy@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

Schedule mediation online by clicking this link: <https://breedinghenrybaysanpc.youcanbook.me/>



****External Sender****

****External Sender****

Matthew and Jimmy,

Per our discussion, attached please find a revised version of the Agreed Protective Order you sent on October 6. These edits have been approved by counsel for all defendants.

Thanks,

Caitlyn



Caitlyn Luedtke Elam Attorney at Law
Lewis, Thomason, King, Krieg & Waldrop, P.C.
620 Market St., 5th Floor | P.O. Box 2425 | Knoxville, TN 37901
Tel: 865-541-5259 | Fax: 865-523-6529
[Web Page](#) | [My Bio](#)

CONFIDENTIALITY NOTICE: This e-mail transmission and any document, files or previous e-mail messages attached to it, are confidential and are protected by the attorney-client privilege and/or work product doctrine. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of any of the information contained in, or attached to this e-mail transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please notify us immediately by forwarding this message to the original sender or by telephone at 800-456-4646 and then delete this message and its attachments from your computer.

From: matthew@breedinglaw.com <matthew@breedinglaw.com>
Sent: Tuesday, October 6, 2020 10:59 AM
To: John Lawhorn <jlawhorn@fmsllp.com>; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Cc: jimmy@breedinglaw.com; adam@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PREppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

All,

In anticipation of our discussion tomorrow, attached find a revised version of the stipulated protective order to address John's comments as to (1) the definition of confidential information and (2) the sealing procedures. We look forward to further discussion of the necessity of the AEO provision tomorrow.

Thanks,

Matthew

Matthew W. Olinzock
Partner

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200

Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
matthew@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

From: John Lawhorn <jlawhorn@fmsllp.com>
Sent: Thursday, October 1, 2020 4:39 PM
To: adam@breedinglaw.com; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Cc: jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PReppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

I'll send it.

From: adam@breedinglaw.com <adam@breedinglaw.com>
Sent: Thursday, October 1, 2020 4:33 PM
To: Elam, Caitlyn L. <CElam@LewisThomason.com>; John Lawhorn <jlawhorn@fmsllp.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Cc: jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PReppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

4 will work. Please circulate a dial-in.

Thanks,

Adam R. Duggan
Associate

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
adam@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

From: Elam, Caitlyn L. <CElam@LewisThomason.com>
Sent: Thursday, October 1, 2020 4:32 PM
To: John Lawhorn <jlawhorn@fmsllp.com>; adam@breedinglaw.com; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Cc: jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PReppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

I can do 4

From: John Lawhorn <jlawhorn@fmsllp.com>
Sent: Thursday, October 1, 2020 4:28 PM
To: adam@breedinglaw.com; Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Cc: jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PReppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

The earliest I can be available in the afternoon of Wednesday, October 7 is 4:00 p.m. If that is not acceptable, might any of the other dates I provided work?

From: adam@breedinglaw.com <adam@breedinglaw.com>
Sent: Thursday, October 1, 2020 4:23 PM
To: Elam, Caitlyn L. <CElam@LewisThomason.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>; John Lawhorn <jlawhorn@fmsllp.com>
Cc: jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PReppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

We can be available at 1:30 PM on Wednesday.

Adam R. Duggan
Associate

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
adam@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

From: Elam, Caitlyn L. <CElam@LewisThomason.com>
Sent: Thursday, October 1, 2020 4:07 PM

To: McCarty, Chris W. <CMcCarty@LewisThomason.com>; John Lawhorn <jlawhorn@fmsllp.com>
Cc: adam@breedinglaw.com; jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PREppert@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

I will be in Court that morning in Kingsport. I anticipate the hearing to last at least 2 hours. I am free after noon that day, however.

From: McCarty, Chris W. <CMcCarty@LewisThomason.com>
Sent: Thursday, October 1, 2020 3:55 PM
To: John Lawhorn <jlawhorn@fmsllp.com>
Cc: adam@breedinglaw.com; Elam, Caitlyn L. <CElam@LewisThomason.com>; jimmy@breedinglaw.com; matthew@breedinglaw.com; joy@breedinglaw.com; Reppert, Paige <PREppert@LewisThomason.com>
Subject: Re: Knox Trailers et al v. Jeff Clark et al

I will actually be in Nashville that day, but I will let Cait address her availability.

I can tell you, however, that we agree with John as to an “attorneys eyes only” provision. Any time a Protective Order is entered in a case, I can assure you that we explain the effect and importance of such an Order to our clients. But I am always hesitant to agree to “attorneys eyes only” provisions unless shown compelling reasons to do the same.

Talk soon,

Chris

Sent from my iPhone

Direct Line: (865) 541-5256

On Oct 1, 2020, at 2:46 PM, John Lawhorn <jlawhorn@fmsllp.com> wrote:

Adam:

Let's see if Caitlyn or Chris are available on 10/7 at 10:00 a.m. Unless someone can describe the documents your clients believe only attorneys should be able to see beyond “that we claim are trade secrets” I remain unconvinced of the need. I only speak for myself, so I will let Chris or Caitlyn weigh in on the matter.

John M. Lawhorn *Attorney*



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37901
phone: 865.546.9321 | fax: 865.637.5249 | email: jlawhorn@fmsllp.com

[East Tennessee Employment Law Adviser Blog](#)



Notice: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that our address record can be corrected.

For additional information about Frantz, McConnell & Seymour, LLP, including a list of attorneys, please visit our website at www.fmsllp.com

From: adam@breedinglaw.com <adam@breedinglaw.com>

Sent: Thursday, October 1, 2020 2:56 PM

To: John Lawhorn <jlawhorn@fmsllp.com>; Elam, Caitlyn L. <CElam@LewisThomason.com>; jimmy@breedinglaw.com

Cc: matthew@breedinglaw.com; joy@breedinglaw.com; McCarty, Chris W. <CMcCarty@LewisThomason.com>

Subject: RE: Knox Trailers et al v. Jeff Clark et al

John,

I would initially turn your attention to our cover letter accompanying Plaintiffs' discovery responses. In that letter, we expressly stated we would circulate a protective order at the beginning of this week. Inexplicably, and without notice to us, you all decided to draft a separate protective order. It is disingenuous to suggest that we are the cause of your doing unnecessary work.

Setting aside this concern, some of your requests are reasonable, and we will revise our draft protective order to incorporate these requests. We will circulate early next week.

One thing that we cannot agree to is the lack of a highly confidential – attorneys eyes only provision. We believe this is necessary to protect items that we claim are trade secrets and a competitive advantage should your clients see them. We will not agree to a protective order without this protection.

Just as you have filed many protective orders without this, we have filed many with it. Nonetheless, it does not behoove any of us to get into a shouting match about who has filed more protective orders. Thus, it is best that we discuss this item over the phone. We are available on Wednesday, October 7th at 10:00 AM. Please circulate a dial-in for the call.

Best,

Adam

Adam R. Duggan
Associate

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
adam@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

From: John Lawhorn <jlawhorn@fmsllp.com>
Sent: Wednesday, September 30, 2020 3:32 PM
To: adam@breedinglaw.com; Elam, Caitlyn L. <CElam@LewisThomason.com>; jimmy@breedinglaw.com
Cc: matthew@breedinglaw.com; joy@breedinglaw.com; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Subject: RE: Knox Trailers et al v. Jeff Clark et al

Adam:

Caitlyn and I recently discussed your proposed protective order offered up only after defense counsel took the time and effort to submit one to your firm. That effort was invested after receiving discovery responses from KTI/Post referencing need for such an order, but with none being offered at the time. Defense counsel take no particular pride in authorship of an order, but after having gone to the trouble we are of the opinion the first iteration we proposed is the working draft to discuss, absent some deficiency. You apparently detected such deficiencies, reportedly consisting of multiple "key provisions missing." We've yet to find anything "missing" from the draft we provided that would render it unacceptable to the Court. In fact, the version we sent is a form I've had numerous judges in the Eastern District enter without questioning in numerous other cases.

We assume the missing "key provisions" you reference are the multiple levels of confidentiality classification you propose in your draft. While defense counsel understand the need for "attorneys eyes only" classification in appropriate cases, this certainly is not one of them. In cases that do not merit such heightened confidentiality classification, I refuse to agree to a protective order imposing it for the simple reason that it places an extremely onerous burden on me and my staff. It also puts me in a very difficult position with my clients in terms of communication and case preparation. This is a case involving truck repair businesses. As much as your clients wish to pretend there are trade secrets and highly confidential information attendant to these businesses, there is very little, if any. There most certainly is none that would necessitate it being designated "highly confidential – attorneys eyes only."

Beyond that, the definition of “confidential” information in your proposed order is quite overbroad. It is well settled under both Tennessee and federal law that “general sales, customer, or vendor information” is not confidential. The defendants therefore will not agree to an order defining those to be confidential. Your proposed order also addresses submitting alleged confidential information under seal to the Court in a manner directly contrary to the Court’s Memorandum and Order Regarding Sealing Confidential Information (Doc. 4).

For all these reasons counsel for all defendants are unwilling to consider your proposed order. We are willing to set up a time to confer on this and hear why your clients believe there is need for a heightened “attorneys eyes only” designation in this matter. We expect that explanation to include a specific description of the documents you anticipate producing justifying that. To that end, I am available for a telephone conference at these times:

Thurs. 10/1 - after 2:30
Friday 10/2 – before 10:00 and after 2:30
Monday 10/5 – any time
Tuesday 10/6 – morning
Wednesday 10/7 – morning

John M. Lawhorn *Attorney*



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37901
phone: 865.546.9321 | fax: 865.637.5249 | email: jlawhorn@fmsllp.com

[East Tennessee Employment Law Adviser Blog](#)



Notice: This electronic mail transmission may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that our address record can be corrected.

For additional information about Frantz, McConnell & Seymour, LLP, including a list of attorneys, please visit our website at www.fmsllp.com

From: adam@breedinglaw.com <adam@breedinglaw.com>
Sent: Friday, September 25, 2020 4:25 PM
To: Elam, Caitlyn L. <CElam@LewisThomason.com>; jimmy@breedinglaw.com
Cc: matthew@breedinglaw.com; joy@breedinglaw.com; John Lawhorn <jlawhorn@fmsllp.com>; McCarty, Chris W. <CMcCarty@LewisThomason.com>
Subject: Re: Knox Trailers et al v. Jeff Clark et al

Caitlyn,

Thank you for your email. Attached find a draft protective order. As you will see it includes key provisions missing from your draft, including two levels of protection for confidential information. We anticipate producing documents next week.

Thanks,

Adam R. Duggan

Associate

Breeding Olinzock Carter Crippen, PC
800 South Gay Street
Suite 1200
Knoxville, TN 37929
T 865.670.8535 F 865.670.8536
adam@breedinglaw.com

Please note the change of firm name, address, and email.

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is prohibited. If you have received this communication in error, please immediately notify the sender and delete all copies of the original communication. Thank you for your cooperation.

From: "Elam, Caitlyn L." <CElam@LewisThomason.com>

Date: Thursday, September 24, 2020 at 11:10 AM

To: "jimmy@breedinglaw.com" <jimmy@breedinglaw.com>

Cc: "adam@breedinglaw.com" <adam@breedinglaw.com>, "joy@breedinglaw.com" <joy@breedinglaw.com>, "jlawhorn@fmsllp.com" <jlawhorn@fmsllp.com>, "McCarty, Chris W." <CMcCarty@LewisThomason.com>

Subject: RE: Knox Trailers et al v. Jeff Clark et al

Good morning, Jimmy,

I hope this email finds you doing well. Attached please find a proposed Agreed Protective Order for your review. Please let me know if you have any suggested changes. It is imperative that we continue to move forward with discovery in this case in light of the Court's current Scheduling Order. As such, please advise as to when we can expect to receive the responsive documents.

Thanks,

Caitlyn

<image001.jpg>

Caitlyn Luedtke Elam Attorney at Law
Lewis, Thomason, King, Krieg & Waldrop, P.C.
620 Market St., 5th Floor | P.O. Box 2425 | Knoxville, TN 37901
Tel: 865-541-5259 | Fax: 865-523-6529
[Web Page](#) | [My Bio](#)

CONFIDENTIALITY NOTICE: This e-mail transmission and any document, files or previous e-mail messages attached to it, are confidential and are protected by the attorney-client privilege and/or work product doctrine. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of any of the information contained in, or attached to this e-mail transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please notify us immediately by forwarding this message to the original sender or by telephone at 800-456-4646 and then delete this message and its attachments from your computer.

BREEDING | OLINZOCK | CARTER | CRIPPEN

800 S. Gay Street | Suite 1200
Knoxville, TN 37929

office 865.670.8535
fax 865.670.8536

JIMMY G. CARTER, JR.
Fax. +1 865.670.8536
jcarter@bhblegal.com
Rule 31 Listed Family Mediator
Collaboratively Trained

September 22, 2020
Via U.S. Mail and Electronic Mail

Chris W. McCarty
CMcCarty@lewisthomason.com
Caitlyn L. Elam
CElam@lewisthomason.com
Lewis, Thomason, King, Krieg & Waldrop, P.C.
One Centre Square, Fifth Floor
620 Market Street
P.O. Box 2425
Maryville, TN 37901

John M. Lawhorn
jlawhorn@fmsllp.com
Frantz, McConnell & Seymour, LLP
P.O. Box 39
Knoxville, TN 37901

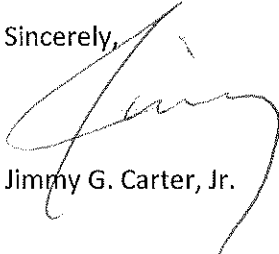
Re: Knox Trailers, Inc. et al. v. Jeff Clark et al.
United States District Court for the Eastern District of Tennessee
Docket No. 3:20-cv-00137

Dear Chris and John:

Please find enclosed *Plaintiffs' Responses to Defendants Jeff Clark, Amy Clark, Paul Henegar, and Roy Bailey's First Set of Interrogatories to Plaintiffs Knox Trailers, Inc. and Post Trailer Repairs, Inc. and Plaintiffs' Responses to Defendants Jeff Clark, Amy Clark, Paul Henegar, and Roy Bailey's First Set of First Set of Requests for Production of Documents to Plaintiffs Knox Trailers, Inc. and Post Trailer Repairs, Inc.* As indicated in these responses, Plaintiffs will supplement these responses and produce documents following entry of an adequate protective order. We anticipate circulating a draft protective order by the beginning of next week.

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,


Jimmy G. Carter, Jr.